

From: Benda 
Subject: FW: Charles Wakefield
Date: February 19, 2016 at 1:38 PM
To: Failing, Lisa Lisa.Failing@sodexo.com
Cc: Heeb, Joseph Joseph.Heeb@sodexo.com

B

Lisa,

Please see attached documentation supporting my recommendation for the termination of Charles Wakefield. Please let me know of any questions.

Thank you.

Kevin Benda
General Manager
On-site Service Solutions
School Services - Custodial
T: 405 573 3551
Mb: 405 740 4902
F: 405 573 3593
kevin.benda@sodexo.com

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From: Heeb, Joseph
Sent: Thursday, February 18, 2016 7:07 AM
To: Benda, Kevin
Subject: FW: Charles Wakefield

Kevin – see Lisa’s note below.

Let’s prepare the term form if you are ready to move ahead.

Thank you,

Joe

-

Joseph C. Heeb
District Manager
On-Site Service Solutions
Sodexo School Services
Mb: 214-418-0651
joseph.heeb@sodexo.com

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From: Failing, Lisa

EXHIBIT

13

tabbles®

Sent: Wednesday, February 17, 2016 9:18 PM
To: Heeb, Joseph
Cc: Whitmore, Delia; Thomas, Chuck
Subject: Re: Charles Wakefield

I have not connected yet with one of our attorneys, but am comfortable that we have done our due diligence with Charles.

Write up his termination form ok? I will clear it by Friday when I can get back to the office. We will target Monday to term, then you can post position thereafter with Delia.

Sent from my iPhone

On Feb 17, 2016, at 6:55 PM, "Heeb, Joseph" <Joseph.Heeb@sodexo.com> wrote:

Hi Lisa – I understand this takes a lot of time. This is effecting our operations – can you provide advice?

Thank you,

Joe

Joseph C. Heeb
District Manager
On-Site Service Solutions
Sodexo School Services
Mb: 214-418-0651
joseph.heeb@sodexo.com

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From: Failing, Lisa
Sent: Friday, February 12, 2016 10:43 AM
To: Heeb, Joseph; Whitmore, Delia
Cc: Thomas, Chuck; Benda, Kevin
Subject: RE: Charles Wakefield

Was told EEOC case could go on for months from attorney supporting the case. I will set up a call with legal to run it by them on termination of employment risk.

Lisa Failing, HRBP Schools
Sodexo NorAM Human Resources
425-231-2585

From: Heeb, Joseph
Sent: Thursday, February 11, 2016 5:16 PM
To: Failing, Lisa; Whitmore, Delia
Cc: Thomas, Chuck; Benda, Kevin

CC: Thomas, Chuck; Benda, Kevin
Subject: RE: Charles Wakefield

OK - we will remain in holding pattern until we hear back from you.

Thanks,

Joe Heeb
C - 214.418.0651

----- Original message -----

From: "Failing, Lisa" <Lisa.Failing@sodexo.com>
Date: 02/11/2016 5:59 PM (GMT-06:00)
To: "Heeb, Joseph" <Joseph.Heeb@sodexo.com>, "Whitmore, Delia" <Delia.Whitmore@sodexo.com>
Cc: "Thomas, Chuck" <Chuck.Thomas@sodexo.com>, "Benda, Kevin" <Kevin.Benda@sodexo.com>
Subject: RE: Charles Wakefield

I was just thinking about Charles yesterday.
I have contacted the attorney for the EEO case and see where that is, then once I have that info. I will run it by our legal dept. to assess risk with his termination.
I am not fearing too much risk as his performance is WELL documented at this point.

Lisa Failing, HRBP Schools
Sodexo NorAM Human Resources
425-231-2585

From: Heeb, Joseph
Sent: Thursday, February 11, 2016 10:15 AM
To: Failing, Lisa; Whitmore, Delia
Cc: Thomas, Chuck; Benda, Kevin
Subject: Charles Wakefield

Lisa / Delia,

Charles Wakefield continues to be nonresponsive to direction and expectations from Kevin which he is documenting and going to provide to us within the next week.

Charles has been given his final written warning in Jan and the next step, if approved with you all, would be termination which I believe is justified by what Kevin has shared with me on his lack of performance.

This is a preemptive email to ensure that we all are on the same page with our next step for termination - especially with the EEO.

Thank you,

Joe

Joseph C. Heeb
District Manager
On-Site Service Solutions
Sodexo School Services
Mb: 214-418-0651
joseph.heeb@sodexo.com

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Term Charles
Wakefi...JH.pdf



C Wakefield
Suppor...cs.pdf



Constructive Counseling Notice for Non-Exempt

Employee Name: Charles Wakefield

Date Counseling Delivered: 02/23/2016

Employee Id#: 5136287

Account Name & Dept: Norman PS - Custodial

Employee Position: Manager

Supervisor's Name: Kevin Benda

Type of Constructive Counseling (check One): ☐ Written Coaching ☐ Written Warning ☒ Termination

1. Describe the unsatisfactory performance, behavior or conduct that led to this disciplinary action. (Provide specific details such as date and place.)

Charles, after reviewing the action plan that was administered to you on 9/16/2015, and which we discussed your progress on 11/16/2015, and again on 12/21/2015, the following items have not been addressed to company standards;

- Failure to document employee absences according to unit procedures for your assigned schools
 - * On 2/1/2016, you failed to document Erica Schmitt's absence
 - * On 2/18/2016, you failed to document Elizabeth Golden's absence
- Failure to cover open positions for employees who are absent in your assigned schools
- Failure to meet cleaning procedures/standards at Reagan ES, Longfellow MS, and Norman North HS
 - * On 1/25/2016, I received a email from the AP of Irving MS stating his school is being cleaned inconsistently.
 - * On 2/10/2016, I received a follow-up email from the AP of Irving MS regarding doors not being locked and a couple of classrooms not being cleaned.
 - * On 1/27/2016, I received a text message from the Asst. Superintendent. He received a message from the Director of Secondary Education regarding the disgusting condition of Norman North HS
 - * On 2/4/2016, the AP of NNHS emailed me regarding the school not being clean
 - * On 2/5/2016, I walked the NNHS campus and I emailed you many pictures of items of concern. You did not respond to the email
 - * On 2/9/2016, the Principal of NNHS called and asked if he could have students clean the school because we were not getting it done

2. Who observed the behavior?

Kevin Benda, GM

3. Describe what effect the employee's unsatisfactory performance, behavior or conduct had on the workplace

In the spirit of service, we expect our people to demonstrate professionalism, enthusiasm, integrity and a welcoming attitude. When this does not occur, this affects your ability to make effective decisions and your ability to work well with others. Behaviors such as not following through with said policies also interrupts the smooth flow of the workplace, which creates undue hardship for the entire team.

- Failure to document employee absences according to unit procedures for his assigned schools - integrity / inaccurate payroll and tracking of time off
- Failure to cover open positions for employees who are absent in his assigned schools - operational and communication failure
- Failure to meet cleaning procedures/standards at Reagan ES, Longfellow MS, and Norman North HS - operational failure
- Failure to accurately report your own paid time off on 10/29 and 10/30; and most recently on 1/4/2016, 1/5/2016, and 1/6/2016 - integrity / inaccurate payroll and tracking of time off
- Failure to follow Sodexo standards related to employee recognition - morale and leadership failure
- Failure to follow discipline for poor performance of your direct reports - leadership and professionalism failure
- Failure to follow standards related to customer communication, specifically principals on service issues - operational failure



Constructive Counseling Notice for Non-Exempt

4. Describe the expected performance, behavior or conduct of the employee in the future and the expected time-frame for the employee to achieve satisfactory performance, behavior or conduct.

Sodexo employees are expected to perform their job duties to the highest professional, ethical and business standards at all times. You are expected to demonstrate professional conduct which reflects initiative, common sense, integrity, responsibility, efficiency and good judgment at all times, and to abide by the employment handbook policies.

Your attention to the items listed in section I are critical in ensuring that the unit is in compliance with Sodexo policies and procedures and that you are meeting the core requirements of your position.

Excellence in service means finding every opportunity for improvement and taking initiative to make those improvements in your daily routine as a manager.

Due to the concerns of our clients and consumers, you constantly have to adjust your services to meet their expectations. You must listen to their needs and pay attention to detail. You must make ourselves available and be responsive.

It is the expectation that all employees achieve the expected level of satisfactory performance, so holding your employees accountable is expected.

As a manager, you are expected to work a flex schedule from day to day in order to meet service standards. You have chosen to arrive and leave at the same time from day to day, therefore you are not available to address service concerns as they arise while your employees are engaged in work activities.

You are expected to perform your job duties to the highest professional, ethical and business standards at all times.

It is expected that these items are corrected immediately without exception.

5. Describe what the consequences are for failure to correct.

You are expected to immediately comply with all Company policies and procedures, and sustain that compliance for the duration of your employment with Sodexo.

Any further incidents of failure to meet and maintain all policies and procedures including performance and attendance will result in further disciplinary action up to and including termination.



Constructive Counseling Notice for Non-Exempt

6. Has the employee been told about the Promise of Respect and Fair Treatment?

☒ YES

☐ NO

Under the Promise of Respect & Fair Treatment, you have the right to appeal this action. To do so, please contact:

Name:

Phone Number:

Manager's Signature

Date

EMPLOYEE ACKNOWLEDGEMENT:

Employee Comments:

Employee Signature

Date

Witness Signature

Date

The employee's signature does not necessarily indicate agreement with the content of this Constructive Counseling Notice but does, at least, acknowledge receipt of the form and the content (or lack) of employee comments. An employee's decision not to sign the form should be noted on the employee's signature line, preferably with a witness present. The witness should initial the notation of refusal to sign as well.

(Distribution: Original to employee's file, Copy to employee)



Constructive Counseling Notice for Non-Exempt

Additional Comments

(Please reference the applicable section of this form when making additional comments.)

2/19/2016

image1.png

●●●● AT&T

9:42 AM



Messages Nicholas

Details

Kevin just got this from holly Nevels re NNHS "Steve just sent this. Said it was taken at 7:30 a.m. The building is totally disgusting. Can you get Kevin over there to meet with Steve and work on this. It is really gross. And I'm thankful Steve/Pete are good about checking the building for stuff like this."

1/27/2016

iMessage

<https://mail.google.com/mail/u/0/#inbox/152fa34502a5726e?projector=1>

1/1

Benda, Kevin

From: Collette Gainey <cgainey@norman.k12.ok.us>
Sent: Thursday, February 04, 2016 9:09 AM
To: Benda, Kevin
Subject: Fwd: Kevin Benda Sodexo Custodial

Did you see this ?

Collette

----- Forwarded message -----

From: Steve Spears <sspears@norman.k12.ok.us>
Date: Thu, Feb 4, 2016 at 8:51 AM
Subject: Re: Kevin Benda Sodexo Custodial
To: Collette Gainey <cgainey@norman.k12.ok.us>

Can you have Kevin contact me today? This building is not being clean. The commons floor has not been mopped in weeks. This building is disgusting filthy. Our students deserve better. It's embarrassing and a bad mark on Sodexo. My number is 630-4241. Thank you

Steve Spears
Assistant Principal
Norman North High School

On Thu, Jan 28, 2016 at 8:14 AM, Steve Spears <sspears@norman.k12.ok.us> wrote:
That would be great. Thank you

Steve Spears
Assistant Principal
Norman North High School

On Thu, Jan 28, 2016 at 7:02 AM, Collette Gainey <cgainey@norman.k12.ok.us> wrote:
This is to let you know that Kevin will be out of the office until Monday. We will email you on Monday to find a time that is good for you so he can come in and talk to you.

Thank you,

Collette Gainey
Sodexo Custodial

Benda, Kevin

From: Wakefield, Charles
Sent: Friday, February 05, 2016 7:29 PM
To: Benda, Kevin
Subject: Re: NNHS

Kevin,
Can not find any brooms and dust pans, Milan said there are none and there is no stainless steel cleaner.

Thanks.....

Sent from my iPhone

On Feb 5, 2016, at 4:11 PM, Benda, Kevin <Kevin.Benda@sodexo.com> wrote:

Charles,

Tomorrow, I will be working with some people trying to get the halls and restrooms up to standards, as you can see from all the pictures I sent you this morning, it is still not getting done.

I need you to have supplies in the main custodial office for the people to use tomorrow to;

- Sweep the halls (brooms, dustpans, etc.)
- Clean the halls (rags, green pads, etc.)
- Water fountains (stainless steel cleaner, lemon oil, end dust, etc.)
- Scrub floor (both scrubbers charged and all the dirty water drained from tonight)
- Buff the floors (propane)
- Change lights (light bulbs for restrooms)

If Erica wants to run the crew and work with them, she is welcome, as we are working 8am-noon, 4 hours.

Also, more effort needs to be made to ensure the expectations are being met at NNHS, because they currently are not. In addition to you performing 2 inspections nightly, I also would like you to leave for me a colored map of the school and employees names next to the shift that they worked. This will help me hold people accountable.

Please let me know if you have any questions.

Thanks, Kevin

Kevin Benda
General Manager
On-site Service Solutions
School Services - Custodial
T: 405 573 3551
Mb: 405 740 4902
F: 405 573 3593
kevin.benda@sodexo.com

Sodexo Education

Benda, Kevin

From: Peter Liesenfeld <peterl@norman.k12.ok.us>
Sent: Friday, February 19, 2016 1:02 PM
To: Benda, Kevin
Cc: Chad Hall; Steve Spears
Subject: Re: Kevin Benda Sodexo Custodial

Negatives:

Outside trash doesn't appear to be done in weeks.

Floors are bearable, but certainly not what I would consider good or great.

Commons floor is a lost cause. I force myself not to look at the filth every time I have duty in the morning, during lunch, or walk by it during the day. I have to physically force myself to avert my eyes before becoming so angry I can't function for a few moments. It's not worth my stress any more at this point, so I do my best to ignore it. In summary: it's as bad or worse than it has been all year.

Hallways behind commons, especially near custodial offices, are equally filthy.

Not sure on classrooms/bathrooms/trash inside too much, but since I haven't heard specific complaints it is either because things are better, or teachers are tired of complaining and don't do it anymore.

Positives:

Erica is a great lead. She is working hard, cares about the school, is professional, and great to communicate with.

Kenny is fantastic during the day. Anything we need he is always attentive. He is responsive to us, and his crew.

The two leads are not to blame for this, in my opinion.

Heading in the right direction:

We need to work on the plan I spoke with you about. We need to not only work with students in this building to help gain pride for the school and themselves, to work on perseverance, grit, and character. The reality that continues to bombard us is that we either do not have the resources, or the personnel, to maintain this school. The reality is what it is, and I would much rather work on solutions than continue to receive inspection notices placed on my desk indicating that things could use improvement (which I certainly agree with) then no correction of the indicated deficiencies. I have wondered recently if these inspection notices are notices that I should be addressing with custodial staff? I thought it was for information only, but if I am supposed to address this, I can.

So, we can get students to do a lot of the leg work, they will volunteer to do it (we won't force anybody) we will have parent consent, and we will be able to do some of the things that can allow the personnel at night to focus more on the high priority needs.

Benda, Kevin

From: Wakefield, Charles
Sent: Tuesday, January 26, 2016 10:11 AM
To: Benda, Kevin
Subject: Fwd: Custodial Assessments Irving Middle School

Sent from my iPhone

Begin forwarded message:

From: Patrick Gay <pgay@norman.k12.ok.us>
Date: January 26, 2016 at 9:25:55 AM CST
To: "Wakefield, Charles" <Charles.Wakefield@sodexo.com>
Subject: Re: Custodial Assessments Irving Middle School

Yes, I will be available at that time to meet with you. Please come to the main office at Irving and I will meet you there.
Thank you,

Patrick Gay
Irving Middle School

On Mon, Jan 25, 2016 at 4:33 PM, Wakefield, Charles <Charles.Wakefield@sodexo.com> wrote:
Patrick,
Will you be available on Wednesday 01-27-16 at 4:00 pm to meet with Kevin and me.

Kk
Sent from my iPhone

> On Jan 25, 2016, at 1:06 PM, Patrick Gay <pgay@norman.k12.ok.us> wrote:
>
> Mr. Wakefield, Mr. Benda,
>
> Unfortunately I am still receiving many complaints of classrooms not being cleaned properly. I request that my teachers email me every morning that trash is not removed and carpets not cleaned. I receive these emails multiple times in a week. The minimum requirements as I understand them is that each room's trash is removed, carpets vacuumed and doors are locked. These requirements are continually not met throughout the building. I have received and reviewed the assessment of the custodial services provided by Mr. Wakefield and disagree with the overall assessment grade given. Mr. Wakefield commented on assessment given to me 1/22 that his findings were "unacceptable", but gave an overall percentage grade of 88 %. After reviewing multiple past assessments I have noticed that the vast majority of them share the common remarks and percentages. This needs clarification.
> I feel that all of us need to meet and clarify the requirements of nightly custodial services as

well as to clarify the assessments listed on the custodial inspection sheets.

>

> Please inform me times that you both would be available to discuss these issues.

>

> Thank you,

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Benda, Kevin

From: Patrick Gay <pgay@norman.k12.ok.us>
Sent: Wednesday, February 10, 2016 10:54 AM
To: Benda, Kevin
Subject: Irving Middle School

Mr. Benda, North doors have been left unlocked multiple times this week. Could you please help me ensure that night crew uses the allen wrench key to lock the northern building entry door.

Also, Sci-1 and Sci-3 both have not been cleaned this week. I spent my morning pulling the trash out and sweeping the floors of those two classrooms. I will speak to night crew about making sure they check those rooms tonight. Just wanted to make you aware.

thank you sir,

Mr. Gay

EMPLOYEE ATTENDANCE RECORD 2015-2016																																
EMPLOYEE NAME		Nelson, Mark															SAFETY MEETINGS															
DATE HIRED		*09-08-15*															SEPTEMBER							JANUARY								
																	OCTOBER							FEBRUARY								
SCHOOL		Regan															NOVEMBER							MARCH								
																	DECEMBER							APRIL								
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
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NOV		5	5	5	4	4	4			4	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
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JULY					H																											
S-SICK		H-HOLIDAY					V-VACATION					B- BEREAVEMENT					LO- LAY-OFF					R- REQUESTED DAY OFF										

12 called indg
13
no school
14

[illegible]